

EXHIBIT C

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 CANTER & ASSOCIATES, LLC and
 LAUREATE EDUCATION, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

CANTER & ASSOCIATES, LLC and
 LAUREATE EDUCATION, INC.,

Plaintiffs,

v.

TEACHSCAPE, INC.,

Defendant.

Case No. C 07-3225 RS

**PLAINTIFFS CANTER &
 ASSOCIATES, LLC'S AND
 LAUREATE EDUCATION, INC.'S
 FIRST SET OF REQUESTS FOR
 PRODUCTION OF DOCUMENTS
 AND THINGS (NOS. 1-80)**

PROPOUNDING PARTIES: Plaintiff Canter & Associates, LLC and
 Plaintiff Laureate Education, Inc.

RESPONDING PARTY: Defendant Teachscape, Inc.

SET NUMBER: One (1)

Heller
 Ehrman
 White &
 McAuliffe LLP

1 Pursuant to Federal Rule of Civil Procedure 34, Plaintiffs Canter & Associates, LLC
2 and Laureate Education, Inc. request that Defendant Teachscape, Inc. produce the following
3 documents and things:

4
5 **DEFINITIONS**

6 When used in the following requests for production, the following definitions apply:

7 1. The terms "Teachscape," "you," "your," or "yourself," means Defendant
8 Teachscape, Inc., and any related companies, divisions, or subsidiaries, past or present, and
9 the directors, officers, employees, contractors, agents, or attorneys thereof, including but not
10 limited to foreign subsidiaries and divisions.

11 2. The term "Canter" means Plaintiff Canter & Associates, LLC and any related
12 companies, divisions, or subsidiaries, past or present, and the directors, officers, employees,
13 contractors, agents, or attorneys thereof, including but not limited to foreign subsidiaries
14 and divisions, of which Teachscape is aware.

15 3. The term "Laureate" means Plaintiff Laureate Education, Inc. and any related
16 companies, divisions, or subsidiaries, past or present, and the directors, officers, employees,
17 contractors, agents, or attorneys thereof, including but not limited to foreign subsidiaries
18 and divisions, of which Teachscape is aware.

19 4. The term "Andrews" means Andrews University located in Berrien Springs,
20 Michigan, and any of its employees, directors, trustees, officers, contractors, agents, or
21 attorneys, past or present, of which Teachscape is aware.

22 5. The term "Cardinal Stritch" means Cardinal Stritch University located in
23 Milwaukee, Wisconsin, and any of its employees, directors, trustees, officers, contractors,
24 agents, or attorneys, past or present, of which Teachscape is aware.

25 6. The term "Marygrove" means Marygrove College located in Detroit, Michigan,
26 and any of its employees, directors, trustees, officers, contractors, agents, or attorneys, past
27 or present, of which Teachscape is aware.

1 7. The term "NYSUT ELT" means the New York State United Teachers'
2 Education and Learning Trust located in Latham, New York and/or available online at
3 <https://eltweb.nysut.org>, and any of its employees, directors, trustees, officers, contractors,
4 agents, or attorneys, past or present, of which Teachscape is aware.

5 8. The term "Seattle Pacific" means Seattle Pacific University located in Seattle
6 Washington, and any of its employees, directors, trustees, officers, contractors, agents, or
7 attorneys, past or present, of which Teachscape is aware.

8 9. The term "Walden" means Walden University available online at
9 www.waldenu.edu, and any of its employees, directors, trustees, officers, contractors,
10 agents, or attorneys, past or present, of which Teachscape is aware.

11 10. The term "Canter's former employees" means any person who both (1) was
12 employed by, or was an independent contractor for Canter or Laureate and (2) was / is
13 employed, or was / is an independent contractor of Teachscape. The term "Canter's former
14 employees" also includes, but is not limited to, Valerie Cameron, Anna Crupi, Barbara
15 DeHart, Suddie Gossett, Melissa Jaivin, Hae Young Kim, Stacey McNalley, Romario
16 Pineda, Brenda Pope-Ostrow, Mike Soules, Chip Swalley, and Simone Vilandre.

17 11. The term "master's degree program" means a distance-learning and/or online
18 degree program, including all courses and curriculum in connection with the program,
19 where upon its successful completion the program participant receives a master's degree in
20 the field of education, including Master in the Art of Teaching, Master in Education, and
21 Master of Science in Education.

22 12. The term "graduate course program" means a distance-learning and/or online
23 course program for graduate credit from universities with regional (NCA) and/or national
24 (NCATE) accreditation, graduate level in the field of education.

25 13. The term "Complaint" means the complaint filed on June 19, 2007 by Canter
26 and Laureate in the above-captioned action, including any amendments thereto.

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1 14. As used herein, the conjunctions “and,” “or,” and “including” shall be
2 interpreted conjunctively and shall not be interpreted to exclude any information otherwise
3 within the scope of the request.

4 15. As used herein, the terms “all” and “any” shall be interpreted inclusively so as
5 to mean both “all” and “any” whenever either term is used.

6 16. The terms “document” and “documents” are used in their broadest possible
7 sense in accord with Federal Rule of Civil Procedure 34 and refer, without limitation, to any
8 writings, recordings, or photographs defined in Federal Rule of Evidence 1001, all written,
9 printed, typed, photostatic, photographed, recorded, or otherwise reproduced
10 communications or records of every kind and description, whether comprised of letters,
11 words, numbers, pictures, sounds, or symbols, or any combination thereof, whether
12 prepared by hand or by mechanical, electronic, magnetic, photographic, or other means, and
13 including audio or video recordings of communications, occurrences or events. This
14 definition includes, but is not limited to, any and all of the following: correspondence,
15 notes, minutes, records, messages, memoranda, telephone memoranda, diaries, contracts,
16 agreements, invoices, orders, acknowledgements, receipts, bills, statements, checks, check
17 registers, financial statements, journals, ledgers, appraisals, reports, forecasts, compilations,
18 schedules, studies, summaries, analyses, pamphlets, brochures, advertisements, newspaper
19 clippings, tables, tabulations, financial packaging, plans, photographs, pictures, film,
20 microfilm, microfiche, computer-stored or computer-readable data, computer programs,
21 computer printouts, e-mails, telegrams, telexes, facsimiles, tapes, transcripts, recordings,
22 and all other sources or formats from which data, information, or communications can be
23 obtained. The terms shall include all preliminary versions, drafts or revisions of the
24 foregoing, and all copies of a document shall be produced to the extent that the copies differ
25 from the document produced due to notations, additions, insertions, comments, enclosures,
26 attachments or markings of any kind.

27 17. The term “things” means any tangible item, including without limitation,
28 models, prototypes and samples of any device or apparatus or product.

1 18. The term "date" means the exact day, month and year if so ascertainable or, if
2 not, the best approximation (including relationship to other events).

3 19. The term "person" means any natural person, firm, association, organization,
4 partnership, business, trust, corporation, or public entity.

5 20. The term "relating to" means referring to, describing, concerning, evidencing,
6 constituting, summarizing, addressing the subject matter of, supporting, negating, or
7 rebutting.

8 21. The term "share" means to send via electronic mail, to send a physical copy,
9 distribute, exchange, or otherwise provide a copy.

10
11 **INSTRUCTIONS**

12 1. Each request below extends to any documents in the possession, custody or
13 control of Teachscape. The document is deemed to be in Teachscape's possession, custody
14 or control, if it is in Teachscape's physical custody, or if it is in the physical custody of any
15 other person and Teachscape (a) owns such documents in whole or in part; (b) has a right by
16 contract, statute or otherwise to use, inspect, examine or copy such documents on any
17 terms; (c) has an understanding, express or implied, that Teachscape may use, inspect,
18 examine or copy such documents on any terms; or (d) has, as a practical matter, been able to
19 use, inspect, examine or copy such documents when the defendant has sought to do so.
20 Such documents shall include, without limitation, documents that are in the custody of
21 Teachscape's attorneys or other agents.

22 2. Unless otherwise stated, the time period covered by this notice is up to and
23 including the date on which the documents are produced.

24 3. Pursuant to Federal Rule of Civil Procedure 34, in responding to these requests,
25 you must make a diligent search of your records, papers, materials, and electronically stored
26 information in your possession or available to you or your representatives, including
27 electronically stored information from sources that are reasonably accessible. If, after
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1 exercising due diligence, you are unable to determine the existence of any documents or
2 things falling within a request, then you shall so state in written responses.

3 4. If a refusal to provide documents or things, including electronically stored
4 information, responsive to any request is asserted on the grounds of burdensomeness, you
5 should state in detail the reason(s) for your objection(s), including the number and nature of
6 documents, records, electronically stored information needed to be searched and/or
7 produced, the location of the documents, the custodian of the documents, and the number of
8 person hours and costs required to conduct the search.

9 5. If any request is unclear or ambiguous to you, you are requested to contact
10 undersigned counsel as soon as possible so that the request can be clarified to avoid
11 unnecessary delays in discovery.

12 6. For any documents responsive to these requests that is being withheld on the
13 grounds of privilege, immunity, or any other grounds, please provide a written response
14 and/or log with the following information pursuant to Federal Rule of Civil Procedure
15 26(b)(5):

16 (a) A description of the document sufficiently particular to identify it for
17 purposes of a court order;

18 (b) The date of the document;

19 (c) The nature of the protection claimed;

20 (d) A list of all persons who participated in the preparation of the
21 document;

22 (e) A list of all persons who have received or reviewed copies of the
23 document; and

24 (f) A list of all persons with whom the document shared and
25 communicated.

26 7. Pursuant to Federal Rule of Civil Procedure 26(e), these requests are deemed
27 continuing to the fullest extent permissible and to apply to all documents that Teachscape
28 subsequently creates, develops, discovers or receives.

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2 **REQUESTS FOR PRODUCTION**

3 **Request No. 1:**

4 Final versions and the earliest available drafts of documents and things intended to
5 be, actually sent to, or made available to students or teachers relating to Teachscape's
6 "Teacher as Leader" course, such as course websites, DVDs, videos, video media files,
7 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
8 ins, quizzes, tests, course outlines, and grading keys.
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10 **Request No. 2:**

11 Final versions and the earliest available drafts of documents and things intended to
12 be, actually sent to, or made available to students or teachers relating to Teachscape's
13 "Understanding Teaching and Learning" course, such as course websites, DVDs, videos,
14 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
15 texts, course log-ins, quizzes, tests, course outlines, and grading keys.
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17 **Request No. 3:**

18 Final versions and the earliest available drafts of documents and things intended to
19 be, actually sent to, or made available to students or teachers relating to Teachscape's
20 "Instructional Design; Effective Assessment" course, such as course websites, DVDs,
21 videos, video media files, CDs, audio media files, syllabi, course packets, study resources,
22 articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.
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24 **Request No. 4:**

25 Final versions and the earliest available drafts of documents and things intended to
26 be, actually sent to, or made available to students or teachers relating to Teachscape's
27 "Teacher as Researcher" course, such as course websites, DVDs, videos, video media files,
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1 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
2 ins, quizzes, tests, course outlines, and grading keys.

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4 **Request No. 5:**

5 Final versions and the earliest available drafts of documents and things intended to
6 be, actually sent to, or made available to students or teachers relating to Teachscape's
7 "Meeting the Needs of All Students" course, such as course websites, DVDs, videos, video
8 media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts,
9 course log-ins, quizzes, tests, course outlines, and grading keys.

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11 **Request No. 6:**

12 Final versions and the earliest available drafts of documents and things intended to
13 be, actually sent to, or made available to students or teachers relating to Teachscape's
14 "Foundations of Reading and Literacy" course, such as course websites, DVDs, videos,
15 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
16 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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18 **Request No. 7:**

19 Final versions and the earliest available drafts of documents and things intended to
20 be, actually sent to, or made available to students or teachers relating to Teachscape's
21 "Assessment & Intervention for Struggling Readers" course, such as course websites,
22 DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study
23 resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

24
25 **Request No. 8:**

26 Final versions and the earliest available drafts of documents and things intended to
27 be, actually sent to, or made available to students or teachers relating to Teachscape's
28 "Reading in the Content Areas" course, such as course websites, DVDs, videos, video

1 media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts,
2 course log-ins, quizzes, tests, course outlines, and grading keys.

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4 **Request No. 9:**

5 Final versions and the earliest available drafts of documents and things intended to
6 be, actually sent to, or made available to students or teachers relating to Teachscape's
7 "Master in Art of Teaching with a Focus on Elementary Reading & Literacy K-6" degree
8 program offered through Marygrove, such as course websites, DVDs, videos, video media
9 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
10 log-ins, quizzes, tests, course outlines, and grading keys.

11
12 **Request No. 10:**

13 Final versions and the earliest available drafts of documents and things intended to
14 be, actually sent to, or made available to students or teachers relating to Teachscape's
15 "Master in Education in Reading & Literacy, K-6" degree program advertised in or around
16 September 2006, such as course websites, DVDs, videos, video media files, CDs, audio
17 media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes,
18 tests, course outlines, and grading keys.

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20 **Request No. 11:**

21 Final versions and the earliest available drafts of documents and things intended to
22 be, actually sent to, or made available to students or teachers relating to Teachscape's
23 "Problem Solving and Number & Operations, Grades K-5" course, such as course websites,
24 DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study
25 resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

Request No. 12:

Final versions and the earliest available drafts of documents and things intended to be, actually sent to, or made available to students or teachers relating to Teachscape's "Problem Solving and Number & Operations, Grades 6-8" course, such as course websites, DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

Request No. 13:

Final versions and the earliest available drafts of documents and things intended to be, actually sent to, or made available to students or teachers relating to Teachscape's "Measurement and Geometry, Grades K-5" course, such as course websites, DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

Request No. 14:

Final versions and the earliest available drafts of documents and things intended to be, actually sent to, or made available to students or teachers relating to Teachscape's "Measurement and Geometry, Grades 6-8" course, such as course websites, DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

Request No. 15:

Final versions and the earliest available drafts of documents and things intended to be, actually sent to, or made available to students or teachers relating to Teachscape's "Algebra, Grades K-5" course, such as course websites, DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

1 **Request No. 16:**

2 Final versions and the earliest available drafts of documents and things intended to
3 be, actually sent to, or made available to students or teachers relating to Teachscape's
4 "Algebra, Grades 6-8" course, such as course websites, DVDs, videos, video media files,
5 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
6 ins, quizzes, tests, course outlines, and grading keys.

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8 **Request No. 17:**

9 Final versions and the earliest available drafts of documents and things intended to
10 be, actually sent to, or made available to students or teachers relating to Teachscape's "Data
11 Analysis and Probability, Grades K-5" course, such as course websites, DVDs, videos,
12 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
13 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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15 **Request No. 18:**

16 Final versions and the earliest available drafts of documents and things intended to
17 be, actually sent to, or made available to students or teachers relating to Teachscape's "Data
18 Analysis and Probability, Grades 6-8" course, such as course websites, DVDs, videos,
19 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
20 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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1 **Request No. 19:**

2 Final versions and the earliest available drafts of documents and things intended to
3 be, actually sent to, or made available to students or teachers relating to Teachscape's
4 "Master in Art of Teaching with a Focus on Elementary Mathematics, Grades K-5" degree
5 program offered through Marygrove, such as course websites, DVDs, videos, video media
6 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
7 log-ins, quizzes, tests, course outlines, and grading keys.

8
9 **Request No. 20:**

10 Final versions and the earliest available drafts of documents and things intended to
11 be, actually sent to, or made available to students or teachers relating to Teachscape's
12 "Master in Education in Mathematics, Grades K-5" degree program advertised in or around
13 September 2006, such as course websites, DVDs, videos, video media files, CDs, audio
14 media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes,
15 tests, course outlines, and grading keys.

16
17 **Request No. 21:**

18 Final versions and the earliest available drafts of documents and things intended to
19 be, actually sent to, or made available to students or teachers relating to Teachscape's
20 "Master in Art of Teaching with a Focus on Mathematics, Grades 6-8" degree program
21 offered through Marygrove, such as course websites, DVDs, videos, video media files, CDs,
22 audio media files, syllabi, course packets, study resources, articles, texts, course log-ins,
23 quizzes, tests, course outlines, and grading keys.

24
25 **Request No. 22:**

26 Final versions and the earliest available drafts of documents and things intended to
27 be, actually sent to, or made available to students or teachers relating to Teachscape's
28 "Master in Education in Mathematics, Grades 6-8" degree program advertised in or around

1 September 2006, such as course websites, DVDs, videos, video media files, CDs, audio
2 media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes,
3 tests, course outlines, and grading keys.

4
5 **Request No. 23:**

6 Final versions and the earliest available drafts of documents and things intended to
7 be, actually sent to, or made available to students or teachers relating to Teachscape's
8 "Master in the Art of Teaching with a Focus on Curriculum, Instruction & Assessment"
9 degree program advertised in or around September 2006, such as course websites, DVDs,
10 videos, video media files, CDs, audio media files, syllabi, course packets, study resources,
11 articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

12
13 **Request No. 24:**

14 All documents and things relating to the advertisement, promotion, and marketing of
15 Teachscape's "Master in the Art of Teaching with a Focus on Curriculum, Instruction &
16 Assessment" degree program advertised in or around September 2006, such as flyers,
17 pamphlets, circulars, newsletters, posters, video advertisements, audio advertisements,
18 click-through advertisements, web site links, web sites, marketing plans, marketing budgets,
19 mailing lists, e-mailing lists, responses to inquiries, and promotional scripts.

20
21 **Request No. 25:**

22 All documents and things relating to the advertisement, promotion, and marketing of
23 Teachscape's "Master in Education in Reading & Literacy, K-6" degree program
24 advertised in or around September 2006, such as flyers, pamphlets, circulars, newsletters,
25 posters, video advertisements, audio advertisements, click-through advertisements, web site
26 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
27 to inquiries, and promotional scripts.

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2 **Request No. 26:**

3 All documents and things relating to the advertisement, promotion, and marketing of
4 Teachscope's "Master in Education in Mathematics, Grades K-5" degree program
5 advertised in or around September 2006, such as flyers, pamphlets, circulars, newsletters,
6 posters, video advertisements, audio advertisements, click-through advertisements, web site
7 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
8 to inquiries, and promotional scripts.

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10 **Request No. 27:**

11 All documents and things relating to the advertisement, promotion, and marketing of
12 Teachscope's "Master in Education in Mathematics, Grades 6-8" degree program advertised
13 in or around September 2006, such as flyers, pamphlets, circulars, newsletters, posters,
14 video advertisements, audio advertisements, click-through advertisements, web site links,
15 web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses to
16 inquiries, and promotional scripts.

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18 **Request No. 28:**

19 All documents and things relating to the advertisement, promotion, and marketing of
20 Teachscope's "Master in Art of Teaching with a Focus on Elementary Reading & Literacy
21 K-6" degree program offered through Marygrove, such as flyers, pamphlets, circulars,
22 newsletters, posters, video advertisements, audio advertisements, click-through
23 advertisements, web site links, web sites, marketing plans, marketing budgets, mailing lists,
24 e-mailing lists, responses to inquiries, and promotional scripts.

25

26 **Request No. 29:**

27 All documents and things relating to the advertisement, promotion, and marketing of
28 Teachscope's "Master in Art of Teaching with a Focus on Elementary Mathematics, Grades

1 K-5" degree program offered through Marygrove, such as flyers, pamphlets, circulars,
2 newsletters, posters, video advertisements, audio advertisements, click-through
3 advertisements, web site links, web sites, marketing plans, marketing budgets, mailing lists,
4 e-mailing lists, responses to inquiries, and promotional scripts.

5
6 **Request No. 30:**

7 All documents and things relating to the advertisement, promotion, and marketing of
8 Teachscape's "Master in Art of Teaching with a Focus on Mathematics, Grades 6-8" degree
9 program offered through Marygrove, such as flyers, pamphlets, circulars, newsletters,
10 posters, video advertisements, audio advertisements, click-through advertisements, web site
11 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
12 to inquiries, and promotional scripts.

13
14 **Request No. 31:**

15 All communications between Teachscape and Marygrove relating to Teachscape's
16 master's degree programs or graduate course programs offered at Marygrove, such as draft
17 course materials, communications regarding course planning, documents relating to
18 anticipated demand for the course, communications regarding course administration, and
19 communications regarding course evaluations.

20
21 **Request No. 32:**

22 All documents Teachscape provided to, or prepared to provide to, Marygrove
23 promoting, advertising, or recommending a collaboration between Teachscape and
24 Marygrove relating to master's degree programs or graduate course programs.

1 **Request No. 33:**

2 All communications between Teachscape and Marygrove relating to a potential
3 master's degree program or graduate course program collaboration between Teachscape and
4 Marygrove.

5
6 **Request No. 34:**

7 Final versions and the earliest available drafts of documents and things intended to
8 be, actually sent to, or made available to students or teachers relating to Teachscape's
9 "Research-Based Strategies for Improving Reading Success" graduate course program, such
10 as course websites, DVDs, videos, video media files, CDs, audio media files, syllabi, course
11 packets, study resources, articles, texts, course log-ins, quizzes, tests, course outlines, and
12 grading keys.

13
14 **Request No. 35:**

15 All documents and things relating to the advertisement, promotion, and marketing of
16 Teachscape's "Research-Based Strategies for Improving Reading Success" graduate course
17 program, such as flyers, pamphlets, circulars, newsletters, posters, video advertisements,
18 audio advertisements, click-through advertisements, web site links, web sites, marketing
19 plans, marketing budgets, mailing lists, e-mailing lists, responses to inquiries, and
20 promotional scripts.

21
22 **Request No. 36:**

23 Final versions and the earliest available drafts of documents and things intended to
24 be, actually sent to, or made available to students or teachers relating to Teachscape's
25 "Fundamentals of Mathematics: Teaching for Conceptual Understanding" graduate course
26 program, such as course websites, DVDs, videos, video media files, CDs, audio media files,
27 syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course
28 outlines, and grading keys.

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2 **Request No. 37:**

3 All documents and things relating to the advertisement, promotion, and marketing of
4 Teachscape's "Fundamentals of Mathematics: Teaching for Conceptual Understanding"
5 graduate course program, such as flyers, pamphlets, circulars, newsletters, posters, video
6 advertisements, audio advertisements, click-through advertisements, web site links, web
7 sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses to
8 inquiries, and promotional scripts.

9

10 **Request No. 38:**

11 Final versions and the earliest available drafts of documents and things intended to
12 be, actually sent to, or made available to students or teachers relating to Teachscape's
13 "Research-Based Instructional Strategies to Improve Student Achievement" graduate course
14 program, such as course websites, DVDs, videos, video media files, CDs, audio media files,
15 syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course
16 outlines, and grading keys.

17

18 **Request No. 39:**

19 All documents and things relating to the advertisement, promotion, and marketing of
20 Teachscape's "Research-Based Instructional Strategies to Improve Student Achievement"
21 graduate course program, such as flyers, pamphlets, circulars, newsletters, posters, video
22 advertisements, audio advertisements, click-through advertisements, web site links, web
23 sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses to
24 inquiries, and promotional scripts.

25

26 **Request No. 40:**

27 Final versions and the earliest available drafts of documents and things intended to
28 be, actually sent to, or made available to students or teachers relating to Teachscape's

1 graduate course programs, such as course websites, DVDs, videos, video media files, CDs,
2 audio media files, syllabi, course packets, study resources, articles, texts, course log-ins,
3 quizzes, tests, course outlines, and grading keys.

4
5 **Request No. 41:**

6 All documents and things relating to the advertisement, promotion, and marketing of
7 Teachscape's graduate course programs, such as flyers, pamphlets, circulars, newsletters,
8 posters, video advertisements, audio advertisements, click-through advertisements, web site
9 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
10 to inquiries, and promotional scripts.

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12 **Request No. 42:**

13 All communications between Teachscape and Andrews relating to Teachscape's
14 master's degree program or graduate course programs offered at Andrews, if any, such as
15 draft course materials, communications regarding course planning, documents relating to
16 anticipated demand for the course, communications regarding course administration, and
17 communications regarding course evaluations.

18
19 **Request No. 43:**

20 All documents Teachscape provided to, or prepared to provide to, Andrews
21 promoting, advertising, or recommending a collaboration between Teachscape and Andrews
22 relating to master's degree programs or graduate course programs.

23
24 **Request No. 44:**

25 All communications between Teachscape and Andrews relating to a potential
26 master's degree program or graduate course program collaboration between Teachscape and
27 Andrews.

1 **Request No. 45:**

2 All communications between Teachscape and Cardinal Stritch regarding
3 Teachscape's master's degree programs or graduate course programs offered at Cardinal
4 Stritch, if any, such as draft course materials, communications regarding course planning,
5 documents relating to anticipated demand for the course, communications regarding course
6 administration, and communications regarding course evaluations.

7
8 **Request No. 46:**

9 All documents Teachscape provided to, or prepared to provide to, Cardinal Stritch
10 promoting, advertising, or recommending a collaboration between Teachscape and Cardinal
11 Stritch relating to master's degree programs or graduate course programs.

12
13 **Request No. 47:**

14 All communications between Teachscape and Cardinal Stritch relating to a potential
15 master's degree program or graduate course program collaboration between Teachscape and
16 Cardinal Stritch.

17
18 **Request No. 48:**

19 All documents and things relating to master's degree programs authored or offered
20 by Laureate, Canter, and/or Walden, such as course websites, DVDs, videos, video media
21 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
22 log-ins, quizzes, tests, course outlines, and grading keys.

23
24 **Request No. 49:**

25 All documents and things relating to graduate course programs authored or offered
26 by Laureate, Canter, and/or Walden, such as course websites, DVDs, videos, video media
27 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
28 log-ins, quizzes, tests, course outlines, and grading keys.

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Request No. 50:

All documents and things created, authored, or edited by Laureate, Canter, or Walden, and in the possession of Canter's former employees.

Request No. 51:

All documents and things relating to employment agreements between Teachscape and any of Canter's former employees.

Request No. 52:

All documents and things relating to agreements for confidentiality or secrecy between Teachscape and any of Canter's former employees.

Request No. 53:

All documents and things evidencing policies relating to confidentiality or secrecy communicated between Teachscape and any of Canter's former employees.

Request No. 54:

All documents and things evidencing communications relating to the use of prior employer's information between Teachscape and any of Canter's former employees.

Request No. 55:

All documents and things relating to Laureate, Canter, and/or Walden.

Request No. 56:

All communications with customers or potential customers, including elementary and high school teachers, relating to Laureate, Canter, and/or Walden.

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Request No. 57:

All communications between Teachscape and any of Canter's former employees relating to Laureate, Canter, and/or Walden.

Request No. 58:

All communications between two or more of Canter's former employees relating to Laureate, Canter, and/or Walden.

Request No. 59:

All communications between any of Canter's former employees, Andrews, Cardinal Stritch, Marygrove, NYSUT ELT, Seattle Pacific or any accredited university relating to Laureate, Canter, and/or Walden.

Request No. 60:

All documents and things relating to Canter's 3-year strategic plans.

Request No. 61:

All documents and things relating to Canter's Corporate Investment Proposals.

Request No. 62:

All documents and things relating to Canter's Onyx[®] customer relationship management (CRM) database.

Request No. 63:

All lists relating to potential customers for graduate course programs or master's degree programs, including elementary and high school teachers.

1 **Request No. 64:**

2 All lists relating to models and strategies for segmentation and targeting of potential
3 customers for graduate course programs or master's degree programs.

4
5 **Request No. 65:**

6 All documents and things relating to advertisement, promotion, and marketing of
7 Teachscape's graduate course programs and master's degree programs, including marketing
8 strategy, marketing methods, market research, analyses of potential demand, marketing
9 proposals, marketing studies, survey proposals and survey results.

10

11 **Request No. 66:**

12 All documents and things relating to methods for creating graduate course programs
13 and master's degree programs, including the selection of presenters for video presentations,
14 the structuring of the program generally, and the structuring of the course curriculums and
15 materials for these programs.

16

17 **Request No. 67:**

18 All documents and things relating to Teachscape's knowledge of Laureate's or
19 Canter's relationship with Andrews, Marygrove, Cardinal Stritch, or any other accredited
20 university.

21

22 **Request No. 68:**

23 All documents and things relating to Teachscape's knowledge of Laureate's or
24 Canter's contracts with Andrews, Marygrove, Cardinal Stritch, or any other accredited
25 university.

26

27 **Request No. 69:**

28 All documents and things relating to any of Canter's or Laureate's proprietary

1 information, including but not limited to the items set forth in Plaintiffs Canter &
2 Associates, LLC'S And Laureate Education, Inc.'s Identification Of Trade Secrets, and any
3 amendments thereto.

4
5 **Request No. 70:**

6 Documents sufficient to show Teachscape's actual costs of developing Teachscape's
7 graduate course programs and master's degree programs, including payments to employees
8 and independent contractors for such development from the beginning of their development
9 to the present.

10
11 **Request No. 71:**

12 Documents sufficient to show Teachscape's actual gross revenues, net revenues, and
13 profits or losses relating to its master's degree programs and graduate course programs on a
14 monthly, quarterly, and/or annualized basis from the beginning of their development to the
15 present.

16
17 **Request No. 72:**

18 Documents sufficient to show Teachscape's projected future gross revenues, net
19 revenues, and profits or losses relating to its master's degree programs and graduate course
20 programs on a monthly, quarterly, and/or annualized basis.

21
22 **Request No. 73:**

23 Documents sufficient to show Teachscape's actual variable, fixed, and overhead
24 costs relating to its master's degree programs and graduate course programs on a monthly,
25 quarterly, and/or annualized basis from the beginning of their development to the present.

1 **Request No. 74:**

2 Documents sufficient to show Teachscape's projected future variable, fixed, and
3 overhead costs relating to its master's degree programs and graduate course programs on a
4 monthly, quarterly, and/or annualized basis.

5
6 **Request No. 75:**

7 Documents sufficient to show Teachscape's actual per-customer revenue and
8 per-course revenue relating to its master's degree programs and graduate course programs
9 from the beginning of their development to the present.

10
11 **Request No. 76:**

12 Documents sufficient to show Teachscape's actual incremental/marginal cost per-
13 customer and incremental/marginal cost per-course relating to its master's degree programs
14 and graduate course programs from the beginning of their development to the present.

15
16 **Request No. 77:**

17 Documents sufficient to show Teachscape's actual average cost per-customer and
18 average cost per-course relating to its master's degree programs and graduate course
19 programs from the beginning of their development to the present.

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21 **Request No. 78:**

22 All documents and things relating to projected or completed timelines or schedules
23 for development of Teachscape's graduate course programs and graduate degree programs.

24
25 **Request No. 79:**

26 Organizational charts sufficient to show titles and supervisor/subordinate
27 relationships of Teachscape's personnel that developed, marketed, or were involved in
28

1 decisions relating to Teachscape's graduate course programs and graduate degree programs,
2 and all different versions, past and present, of any such organizational charts.

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4 **Request No. 80:**

5 All documents and things relating to Teachscape's document retention or destruction
6 policies from 2002 to the present.

7
8 Dated: October 15, 2007

HELLER EHRMAN LLP

9
10 By


DANIEL N. KASSABIAN

11 Attorneys for Plaintiffs

12 CANTER & ASSOCIATES, LLC and
13 LAUREATE EDUCATION, INC.
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